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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 R. ALEXANDER ACOSTA, SECRETARY
9 OF LABOR,

10 Plaintiff,

11 v.

12 ZHAO "JENNY" ZENG HONG,

13 Defendant/Judgment Debtor,

14 v.

15 LEE SMART, P.S., INC.,

16 Garnishee.

Case No. MC17-0072RSL

SECOND ORDER DECLINING TO
ENTER JUDGMENT ON
GARNISHEE'S AMENDED ANSWER

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18 On September 21, 2017, the Court declined to enter judgment in this matter because there
19 was no evidence that plaintiff served the defendant/judgment debtor with a copy of the writ and
20 accompanying instructions. In response, plaintiff filed a certificate of service dated July 21,
21 2017, in the hopes of correcting the deficiency. Dkt. # 13-1. The certificate is insufficient to
22 establish service, however. Counsel avers that she caused Ryan Neumann to personally serve the
23 documents by hand delivery. Giving a document to a process server is not evidence that process
24 was actually served, nor does the certificate indicate who received the documents. Counsel's
25 statement regarding service by mail is written entirely in the passive voice. It is therefore unclear
26 whether the declarant has personal knowledge of the mailing. The Court declines to assume that

SECOND ORDER DECLINING TO ENTER JUDGMENT
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1 statutory notice was given when the statements regarding service are made without personal
2 knowledge and/or are unnecessarily ambiguous. The Court again declines to enter judgment in
3 this matter.

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5 Dated this 27th day of September, 2017.

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7 Robert S. Lasnik

8 United States District Judge
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